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Attorneys for Defendants  
Kanag'iq Construction Co., Inc. &  
Western Surety Company

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ALASKA

THE UNITED STATES for the use of )  
GMW Fire Protection, Inc., an Alaska )  
Corporation, )

Plaintiff, )

vs. )

KANAG'IQ CONSTRUCTION CO., )  
INC., an Alaska Corporation and )  
WESTERN SURETY COMPANY, a )  
South Dakota Corporation, )

Defendants. )

Case No. A05-170 Civil (JKS)

**MOTION FOR RULE OF LAW AND PARTIAL SUMMARY JUDGMENT**  
**REGARDING SUBCONTRACT**

Defendants, KANAG'IQ CONSTRUCTION CO., INC. AND WESTERN  
SURETY COMPANY, by and through their counsel, Eide, Gingras & Pate, P.C., move  
for a rule of law and partial summary judgment regarding the subcontract in this matter.

The motion is filed pursuant to Federal Civil Rule 56. There is no genuine issue of

1 material fact on the particular contractual issues set forth, and Defendants are entitled to  
2 judgment as a matter of law.

3 The motion is supported by the attached Memorandum of Law and accompanying  
4 documents.

5 DATED at Anchorage, Alaska this 19<sup>th</sup> day of June 2006.

6  
7 EIDE, GINGRAS & PATE, P.C.  
8 Attorneys for Defendants  
9 Kanag'iq Construction Co., Inc.  
And Western Surety Company

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15 **CERTIFICATE OF SERVICE**

16 DONNA CHARTER certifies as follows:

17 That I am a legal secretary employed by the  
18 law firm of Eide, Gingras & Pate, P.C. That  
on this 19<sup>th</sup> day of June 2006, I served

[x] electronically

19 a true and accurate copy of the foregoing  
20 document upon the following counsel of record:

Attorneys for Plaintiff:

21 Sarah J. Tugman, Esq.  
22 2509 Eide Street, Suite 4  
Anchorage, Alaska 99503

EIDE, GINGRAS & PATE, P.C.

23 By: s/Donna Charter  
24 Donna Charter

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